

STUART F. DELERY
Assistant Attorney General

MICHAEL GRANSTON
JAMIE A. YAVELBERG
RENÉE S. ORLEANS
KIMBERLY I. FRIDAY
Attorneys
Civil Division
United States Department of Justice
P.O. Box 261
Ben Franklin Station
Washington, D.C. 20044
Telephone: (202) 514-4504
Facsimile: (202) 305-4117
renée.orleans@usdoj.gov
Attorneys for the United States of America

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

UNITED STATES OF AMERICA, *ex rel.*) Case No. C 05-3004 CRB (JSC)
STROM)
Plaintiff,)
v.)
SCIOS, INC. and JOHNSON & JOHNSON)
Defendants.)

IT IS HEREBY STIPULATED by the United States of America, Relator Joe Strom, and Defendants, Scios, Inc. and Johnson & Johnson (collectively, the Parties), that:

STIPULATION OF DISMISSAL, No. C 05-3004 CRB (JSC)

1. Pursuant to Fed. R. Civ. R. 41(a)(1)(A)(ii) and subject to the terms of the November 1, 2013 settlement agreement (Settlement Agreement) executed by the Parties, the United States and the Relator hereby dismiss the above-captioned action.

2. Relator dismisses this action with prejudice as to himself.
3. The United States of America dismisses with prejudice all claims asserted in the United States' Complaint, and dismisses remaining claims, if any, without prejudice as to the United States.

4. We request that the status conference scheduled for November 22, 2013, be vacated.
5. According to the terms of the Settlement Agreement, this Court retains jurisdiction over any disputes that may arise relating to the Settlement Agreement.

Respectfully submitted,

STUART F. DELERY
Assistant Attorney General

JOSHUA B. EATON
Attorney for the United States
r: /s/ signature on file
SARA WINSLOW
THOMAS R. GREEN
Assistant United States Attorney

Dated: November 13, 2013

By: /s/ signature on file
SARA WINSLOW
THOMAS R. GREEN
Assistant United States Attorneys

Dated: November 13, 2013

By: /s/ signature on file
MICHAEL GRANSTON
JAMIE A. YABELBERG
RENÉE S. ORLEANS
KIMBERLY I. FRIDAY
Civil Division, U.S. Department of Justice
Attorneys for the United States

Dated: November 13, 2013

NOLAN & AUERBACH, P.A.
LAW OFFICES OF MATTHEW PAVONE
By: /s/ signature on file
KENNETH J. NOLAN, Esq.
MARCELLA AUERBACH, Esq.
Pro Hac Vice
MATTHEW B. PAVONE, Esq.
Attorneys for *Qui Tam* Plaintiff Joe Strom

1
2 Dated: November 13, 2013
3
4
5
6
7

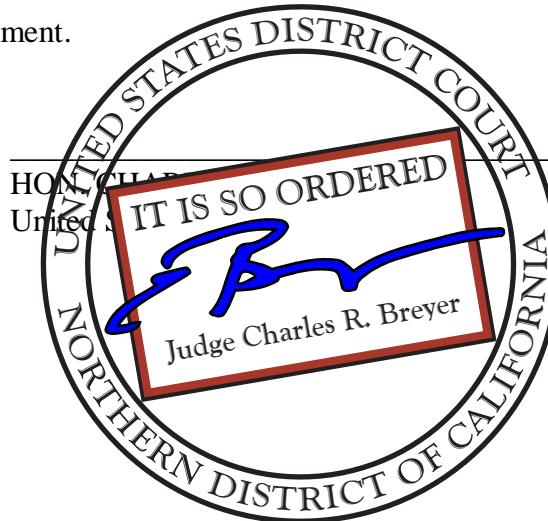
QUINN EMANUEL URQUHART & SULLIVAN,
LLP
By: /s/ signature on file
JOHN POTTER, Esq.
DIANE DOOLITTLE, Esq.
NICOLE ALTMAN, Esq.
Attorneys for Defendants Scios, Inc. and
Johnson & Johnson

8
ORDER
9

PURSUANT TO STIPULATION, IT IS HEREBY ORDERED:

- 10 1. Pursuant to the terms and conditions of the Parties' November 1, 2013 Settlement
11 Agreement, this action is dismissed with prejudice as to Relator Joe Strom.
12
13 2. Pursuant to the terms and conditions of the Parties' November 1, 2013 Settlement
14 Agreement, all claims asserted in the United States' Complaint are dismissed with prejudice. To
15 the extent that any additional claims remain in this civil action, they are dismissed without
16 prejudice as to the United States.
17
18 3. The status conference scheduled for November 22, 2013 at 8:30 a.m. is vacated.
19 4. The clerk shall close the file.
20
21 5. The Court shall retain jurisdiction over any disputes that may arise relating to the Parties'
November 1, 2013 Settlement Agreement.

22 Dated: November 18, 2013
23
24
25
26
27
28



STIPULATION OF DISMISSAL, No. C 05-3004 CRB (JSC)